

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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RICHARD MASSIE,

Plaintiff,

-against-

METROPOLITAN MUSEUM OF ART,

Defendant.  
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ORDER

06 Civ. 12905 (JSR) (MHD)

MICHAEL H. DOLINGER  
UNITED STATES MAGISTRATE JUDGE:

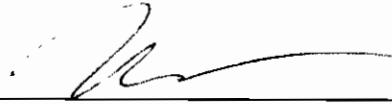
11/21/09

Defendant has sought an order requiring plaintiff to appear on a date certain for the completion of his interrupted deposition. (Nov. 17, 2009 letter to the court from Allan S. Bloom, Esq.). Plaintiff has requested that we order defendant to supply him with the transcript of the first session of his deposition and that any resumed depositions session be held at the courthouse. (Pltff's Notice of Deposition Response). We order the following:

1. Plaintiff is to appear for the completion of his deposition on December 4, 2009 at 10:00 a.m. at the offices of defendant's attorney, at 75 East 55<sup>th</sup> Street, in Manhattan. Plaintiff's failure to appear may lead to the dismissal of the complaint.

2. If defendant has not already done so, it is to supply to plaintiff by November 27, 2009 a copy of the transcript of the first session of his deposition.

Dated: New York, New York  
November 17, 2009



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**MICHAEL H. DOLINGER**  
**UNITED STATES MAGISTRATE JUDGE**

Copies of the foregoing Report and Recommendation have been mailed today to:

Mr. Richard Massie  
120 Aldrich Street  
Apt. 12H  
Bronx, New York 10475

Allan S. Bloom, Esq.  
Paul, Hastings, Janofsky & Walker LLP  
75 East 55<sup>th</sup> Street  
New York, New York 10022